REMARKS/ARGUMENTS

Claims 1-14 have been canceled. Claim 15 has been amended to clarify that a computer-implemented method uses activity data or gaming event data to determine that an activity for which loyalty points are to be accrued has begun. In addition, claim 15 further clarifies that an accrual rate is determined based on the activity or gaming event data (see, for example, page 35 of the specification and claim 25); and a loyalty program instrument is designed or configured to store the awarded loyalty points without the identification information or account information for the patron in manner in which the awarded loyalty points can be redeemed by the patron without receiving identification information or account information for the patron, thereby allowing the patron to redeem the loyalty points anonymously without revealing his or her identification information or account information. Claim 36 had been amended in a similar manner.

In the Office Action, the Examiner has rejected claims 1-57 and 104 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,379,247 (*Walker*), in view of U.S. Patent No. 5,816,918 (*Kelley*), U.S. Patent No. 5,761,647 (*Boushy*), and U.S. Patent No. 6,048,269 (*Bums et al.*). The Examiner's rejection is fully traversed below.

It is respectfully submitted that *Walker* does not teach or suggest:

a) receiving activity data associated with an activity by the patron of said gaming establishment, wherein the activity data does not include identification information or account information for the patron;

b) determining based on the activity data that the patron has begun an activity for which loyalty points are to be accrued without receiving the identification information or account information for the patron;

c) determining, based on the activity data and one or more other factors, an accrual rate for accruing loyalty points for the patron; and

d) accruing the loyalty points, based on the accrual rate, for the patron during the activity without receiving identification information or account information for the patron.

Furthermore, it is respectfully submitted that *Walker* does not teach or suggest: issuing to the patron a loyalty program instrument designed or configured to store the awarded loyalty points without the identification information or account information for

the patron in manner in which the awarded loyalty points can be redeemed by the patron without receiving the identification information or account information for the patron, thereby allowing the patron to redeem the loyalty points anonymously without revealing his or her identification information or account information.

In fact, *Walker* teaches away from this claimed feature because it teaches awarding frequent flyer miles which cannot possibly be redeemed in an anonymous manner (i.e., identification information or frequent mile account information has to be provided). Accordingly, it is respectfully submitted that *Walker* cannot possibly be combined with another reference or general knowledge in the art to teach or suggest the claimed invention.

Based on the foregoing, it is submitted that the claims are patentably distinct over the cited art of record. Additional limitations recited in the independent claims or the dependent claims are not further discussed because the limitations discussed above are sufficient to distinguish the claimed invention from the cited art. Accordingly, Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner.

Applicant hereby petitions for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 500388 (Order No. IGT1P061). Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER WEAVER LLP

/RMahboubian/
Ramin Mahboubian
Reg. No. 44,890

P.O. Box 70250
Oakland, CA 94612-0250
(408) 255-8001